IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

Bail Appl..No. 4395 of 2007()

CRMP.2764/2007 of J.M.F.C.-III,THRISSUR
C.R.NO.16/2007 OF EXCISE RANGE OFFICE, THRISSUR

.....

PETITIONER/ACCUSED NO.1;

SATHEESH, AGED 26 YEARS,
S/O.SUBRAMANIYAN, BHARATHARAMI DESOM,
V.S.PURAM VILLAGE, GUDIYATHAM TALUK, VELLOOR
DISTRICT, TAMILNADU.

BY ADV. SRI.NIREESH MATHEW

RESPONDENTS: COMPLAINANT:

STATE OF KERALA REPRESENTED BY EXCISE
INSPECTOR, EXCISE RANGE OFFICE, THRISSUR
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.4395 of 2007

Dated this the 20th day of July 2007

O R D E R

Application for regular bail. The petitioner is the first accused and faces allegations in a crime registered under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 980 litres of spirit on 21/5/2007. He was arrested and continues in custody from that date. Final report has not been filed yet. The petitioner, a cleaner of the vehicle in which the transportation allegedly took place, has no history of any criminality, concedes the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted two months time from the date of arrest and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 21/07/2007. The investigating

officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007